



**Department of the Treasury**  
**Internal Revenue Service**  
**Appeals Determination**  
 Detroit Federal Building  
 P.O. Box 33115  
 Detroit, MI 48232-0115

Juan Reyes  
 72 Dartmouth Street  
 Forest Hills, NY 11375-5142

Date:  
 10/22/2019  
 Person to contact:  
 Deborah D. Cox  
 Employee ID number:  
 259058  
 Contact telephone number:  
 (313) 234-1619  
 Taxpayer ID number:  
 xxx-xx-0937  
 Form:  
 TD F 90-22.1/FinCEN 114  
 Calendar years:  
 2010, 2011, 2012  
 Response due date:  
 November 21, 2019

Dear Mr. Reyes:

**Why we are sending you this letter**

We require payment of the Report of Foreign Bank and Financial Accounts (FBAR) penalty assessed to you on 10/11/2019, under [Title 31 of the U.S. Code Section 5321(a)(5) or 5321(a)(6)]. We previously sent Letter 3709 explaining the reasons why you owe this amount and how the penalty assessment applies.

**Account summary**

Calendar Years:	Current Balance:	Calendar Years:	Current Balance:
12/31/2010	\$140,017.00		
12/31/2011	\$140,017.00		
12/31/2012	\$140,017.00		

**Total Amount Due:**

**\$420,051.00**

**Payment instructions**

Send a check or money order payable to the United States Treasury for the total amount due within 30 days of the date of this letter. Include the following information on your check:

- FBAR (Report of Foreign Bank and Financial Accounts)
- Calendar years
- Social Security number or other taxpayer identification number

Mail your payment to the following address:

Internal Revenue Service  
 Detroit Computing Center  
 P. O. BOX 33115  
 Detroit, MI 48232-0115

**Exhibit**

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If you can't pay the full amount within 30 days from the date of this letter, pay what you can now. Let us know if you'd like to apply for an installment agreement for the amount due. Send your request with your payment to the address above. We'll forward your request to the Department of Treasury's Bureau of Fiscal Service. If you pay in installments, we will charge interest at the rate of 1% per year and an additional debt-servicing fee of approximately 30% of the penalty amount.

### **Interest and penalties**

We'll charge interest and a late payment penalty if you don't pay in full within 30 days of the date of this letter.

Interest will accrue at the rate of 1% per year. Interest will begin as of the date of this letter if payment isn't received within 30 days. Interest will not be charged if the full payment is received timely [Title 31 of the U.S. Code Sections 3717(a)-(d)].

A late payment penalty charge of 6% each year will be assessed on any amount of the penalty that remains unpaid 90 days from the date of this letter [Title 31 U.S. Code Section 3717(e)(2)].

Interest and penalties will be charged unless waived. (Title 31 Code of Federal Regulations Section 5.5)

### **Collection costs**

If you do not pay the penalty in full within 30 days after the date of this letter, you may also owe additional costs associated with a delinquent debt under Title 31 U.S. Code Section 3717(e)(1). See the section below on "Collection enforcement action" for more information.

### **Collection enforcement action**

If you do not pay within 30 days of the date of this letter, any of the following actions may be taken to enforce collection, which may result in more costs to you:

- Referral to the Department of Justice to start litigation against you.
- Referral to the Department of the Treasury's Bureau of Fiscal Service. (This referral involves an additional debt-servicing fee that is approximately 30% of the balance due.)
- Referral to private collection agencies. (Referral to a private collection agency increases the additional debt-servicing fee from approximately 30% to 32% of the balance due.)
- Offset of federal payments such as income tax refunds and certain benefit payments such as Social Security.
- Administrative garnishment of wages.
- Revocation or suspension of federal licenses, permits, or privileges.
- Ineligibility for federal loans, loan insurance, or guarantees.

### **Contesting the penalty assessment**

If you didn't previously request an administrative penalty review, you may still request a hearing with the Appeals Office. You may also request a hearing if new situations occurred since an administrative review. To make the request, follow the requirements provided in Letter 3709 or you may review Publication 5, Your Appeal Rights and How To Prepare a Protest If You Don't Agree.

Send the request to the address below within 30 days from the date of this letter.

Internal Revenue Service  
Detroit Computing Center  
P. O. BOX 33115  
Detroit, MI 48232-0115

At the hearing, you may present proof you don't owe the debt, that the debt isn't overdue, or that it isn't legally enforceable.

In addition, you may try to recover previously paid FBAR penalties by taking your case to the United States District Court that has jurisdiction or the United States Court of Federal Claims. For more information about filing suit in federal court, contact the clerk of your U.S. District Court or the U.S. Court of Federal Claims.

If you have questions, you can contact the person listed in the heading of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah Smith-Pope", written over a horizontal line.

Leah Smith-Pope

CTR Operations Department Manager